

**UNITED STATES OF AMERICA
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

Plaintiff,

NO. CR 05-30023-MAP

v.

WALTER T. MAY

Defendant.

_____/

Mitchell H. Nelson (P22825)
IMHOFF & ASSOCIATES, PC
398 Kent Way
White Lake, MI 48383
(248) 461-6777

_____/

DEFENDANT'S PROPOSED INSTRUCTIONS TO JURY PANEL

Now comes the Defendant, by and through his attorney,
Mitchell H. Nelson of IMHOFF & ASSOCIATES, PC and
respectfully prays and moves that this Honorable Court instruct
the jury as follows:

1. 1st Circuit Pattern 1.01 Duty of Jury
2. 1st Circuit Pattern 1.02 Nature of Indictment;
Presumption of Innocence
3. 1st Circuit Pattern 1.04 Preliminary Statement of
Elements of Crime

4. 1st Circuit Pattern 1.05 Evidence, Objections, Rulings;
Bench Conference

5. 1st Circuit Pattern 1.06 Credibility of Witnesses

6. 1st Circuit Pattern 1.07 Conduct of Jury

7. 1st Circuit Pattern 1.08 Note Taking

8. 1st Circuit Pattern 1.09 Outline of Trial

9. 1st Circuit Pattern 2.01 Stipulations

10. 1st Circuit Pattern 2.02 Impeachment by Prior
Inconsistent Statement

11. 1st Circuit Pattern 2.06 Weighing Testimony of an
Expert Witness

12. 1st Circuit Pattern 2.07 Caution that as to Cooperating
Witness/Accomplice/Paid Informant

13. 1st Circuit Pattern 2.10 Statements by Defendant

14. 1st Circuit Pattern 2.i3 Definition of Knowingly

15. 1st Circuit Pattern 3.01 Duty of Jury to Find Facts
and Follow Law

16. 1st Circuit Pattern 3.02 Presumption of Innocence;
Proof Beyond a Reasonable Doubt

17. 1st Circuit Pattern 3.03 Defendants Constitutional
Right Not to Testify

18, 1st Circuit Pattern 3.04 What is Evidence, Inferences

19. 1st Circuit Pattern 3.05 Kinds of Evidence: Direct
and Circumstantial

20. 1st Circuit Pattern 3.06 Credibility of Witnesses

21. 1st Circuit Pattern 3.08 What is not Evidence

22. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Count I--Inst. 64-5- The Indictment and the
Statute

23. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Count I--Inst. 64-6-Elements of the Offense

24. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Count I—Inst.64-6-Elements of the Offense

25. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Count II &III--Inst.64-20-The Indictment and the
Statute

26. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Count II&III—Inst. 64-22 First Element-
Interstate Travel

27. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Count II&III—Inst. 64-23 Second Element-Intent
to Engage in Illicit sexual Conduct

28. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst64-29—Affirmative Defense-Reasonable
Mistake Concerning Age of Alleged Victim

29. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 3 A-1—Knowingly

30. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 3A-3—Willfully

31. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 5-3—Questions

32. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 5-5—Judicial Notice

33. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 5-23—Use of Undercover Agents and
Informants Where Entrapment Not a Defense

34. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 7-1-Witness Credibility-General Instruction

- 35. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 7-2—Bias and Hostility
- 36. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 7-3--Interest in Outcome
- 37. L. Sand, et al, Modern Federal Jury Instructions-
Criminal-Defendant's Interest if Defendant Testifies
- 38. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 7-14—Government Informers
- 39. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 9-1—Punishment
- 40. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 9-3—Right to see and Hear Testimony;
Communication with Court
- 41. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 9-5—Selection of a Foreperson
- 42. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 9-6—Sequestration during Deliberations
- 43. L. Sand, et al, Modern Federal Jury Instructions-
Criminal- Inst. 9-7—Duty to Consult & Need for Unanimity

Respectfully submitted,
IMHOFF & ASSOCIATES, PC

By: /s/ Mitchell H. Nelson
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Dated: May 23, 2007